

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75356 of 2025

Arising Out of PS. Case No.-1151 Year-2024 Thana- MASAUDHI District- Patna

Govind Mistri @ Govinda Mistri Son of Tuntun Mistri @ Surydev Mistri R/o
Modanchak, P.S. - Masaurhi, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vidyapati, Adv.

For the Opposite Party/s : Mr.Anant Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Masaurhi P.S. Case No. 1151 of 2024, registered for the offences under Sections 126(2), 115(2), 109, 74, 303(2), 351, 352, 3(5) of the BNS.

3. As per the prosecution case, petitioner and other co-accused persons suddenly started hurling abuses to the father of the informant and thereafter they assaulted him with iron rod causing fracture of his jaw. When the mother of the informant intervened, she was also assaulted and her gold *jiwitya* was snatched.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is case and counter case in



between the parties and for the same occurrence, the petitioner has filed Masaurhi P.S. Case No. 1152 of 2024 in which the petitioner has received injury with fracture on his head. The wife of the petitioner was also assaulted. Learned counsel further submits that the injury of the petitioner is unexplained and none of the injuries caused to the victims could be stated to likely to cause death and hence Section 109 of the BNS is not attracted in the present case. Learned counsel further submits that during investigation it has been found that a scuffle had erupted between the parties over the theft of paddy crop bags, resulting in injuries to both sides. It was also found that the whole occurrence took place in a paddy field and not in front of the house of the informant and this shows the allegations are false and concocted. Learned counsel further submits that the petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 29.07.2025. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the case and counter case between the parties and further



considering period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi/concerned court, in connection with Masaurhi P.S. Case No. 1151 of 2024, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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